IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6849 of 2005

Between:

Alapati Sarada, W/o. Krishna Rao, Hindu,
F.P. Shop Dealer, Juvvigunta Villager, Marripudi Mandal,
Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Prakasam District Ongole
2 The Revenue Divisional Officer, kandukur, Prakasam District.
3 The Mandal Revenue Officer, kandukur, Prakasam District.
4 Ravulapalli Narsimhulu, S/o. Narsimhulu,
R/o. Juvvigunt Village, Marripudi Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more one in the nature of WRIT OF MANDAMUS declaring the action of the 1st respondent in not passing orders on the petitioner's Stay petition filed in Appeal in R.C.C.2/929/2005 dt. 14-2-2005 as illegal, arbitrary violative of principles of natural justice and consequently stay the proceedings of the 2nd respondent issued in Rc.F. 2677/2004 dt. 11-1-2005 during the pendency of the appeal petition filed by the petitioner in Rc.C.2/929/2005 before the 1st respondent and permit the petitioner to continue as Fair price Shop Dealer of Juvvigunta Village, Marripudi Mandal, Prakasam District and pass such other order or orders as deem fit and proper

Counsel for the Petitioner:MR.M.SUBBA REDDY

Counsel for the Respondent Nos. 1 to 3: GP FOR CIVIL SUPPLIES

The Court at the stage of made the following :

-

-

-

ORDER:.

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of writ particularly in the nature of Writ of Mandamus, declaring the action of the first respondent in not passing orders on the petitioner's stay petition filed in Appeal in R.C.C. 2/929/2005 dated 14.2.2005 as illegal arbitrary violative of principles of natural justice and consequently stay the proceedings of the 2nd respondent issued in Rc.F.No. 2677/2004 dated 11.1.2005 during the pendency of the appeal petition filed by the petitioner in R.C.C. 2/292/2005 before the first respondent and permit the petitioner to continue as Fair Price Shop Dealer of Juvvigunta village, Marripudi Mandal, Prakasam District.

The grievance of the petitioner is that the appellate authority in spite of stay petition being filed in Appeal, no orders are passed since one and a half month.

Having regard to the facts and circumstances, suffice it to close the Writ Petition, with a direction to the first respondent to pass appropriate orders on the stay petition filed in appeal in RCC 2/929/2005 dated 14.2.2005, as expeditiously as possible. No costs.

_____

D.S.R. VARMA, J

DATED: 31.03.2005

Ka

To

1 The Joint Collector, Prakasam District Ongole
2 The Revenue Divisional Officer, kandukur, Prakasam District.
3 The Mandal Revenue Officer, kandukur, Prakasam District.
4 Two CCs to G.P. for Civil Supplies, High Court of A.P. Hyderabad (OUT)

5. Two CD copies.